

REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the office action dated March 3, 2009, and completion of the personal interview of April 1, 2009. The Examiner's observations and suggestions are much appreciated and summarized herein. Claims 1, 3-9, 11-16, 23, and 25-28 are currently pending.

During the Interview, the Examiner suggested amendment to each claim to eliminate the term "adapted." The Examiner's suggestion is appreciated and has been included in the subject response.

Claims 1, 4-8, 9, 12-16, 23, and 25-28 were rejected to under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 7,254,606 to Hamada, in view of US Patent No. 7,130,880 to Burton et al. (*hereinafter*, "Burton"). Claims 3, 11, and 25 were rejected to under 35 U.S.C. §103(a) as being unpatentable over US Patent No. 7,254,606 to Hamada, in view of US Patent No. 7,130,880 to Burton, and in further view of US Patent Publication No. 2003/0071900 to Aoyagi.

As discussed during the Interview, the subject application teaches a system wherein secure distribution electronic copies of scanned documents to a selected list of recipients. The application includes an embodiment wherein a document is scanned and sent for secure storage in a remote server. An e-mail notification is given to selected targets for receipt of the scanned document. No electronic copy of the scanned document is retained on the scanning device, which is advantageous when the scan and distribution is initiated from a public or shared scanning device such as a shared network device or public kiosk. The system accomplishes distribution of the scanned document to the selected targets whom, upon receipt of an e-mail notification, can login to the secure server and download the scan file. Since it may be some duration before users are notified and react to the notification to download the file, it retaining the file for such a duration until all users access it from an open device would risk unauthorized access. In addition, the subject distribution avoids sending the document directly as in an e-mail attachment, since many e-mail systems control the size of electronic files or have quotas for users that may have been used prior to e-mailing, resulting in a bounced transmission. Additionally, since a recipient must login to retrieve a scan file once notified of its existence, a log is available to see who downloaded the file and when it was downloaded. It will be

appreciated that the subject application teaches a secure scan document distribution system that avoids many earlier problems.

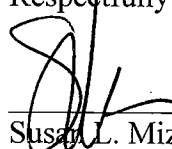
Amendment has been made to each of independent claims 1, 9 and 23 to further clarify patentability of all claims over the art of record. The amendments include limitations relative to scanning of a document and forwarding the scan document, along with a distribution e-mail list, to a secure server. No copy is retained in data storage on the scanning device. Users targeted by the e-mail list are notified via e-mail about the scan file, and are able to connect and download the file from the secure server.

Pursuant to the discussions during the Interview and in light of the amendments and discussions above, it is submitted that all pending claims are patentably distinct over the art of record. An early allowance of all claims is respectfully requested.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/00170.

Date: 5/6/09

Respectfully submitted,



Susan L. Mizer
Registration No. 38,245
TUCKER ELLIS & WEST LLP
1150 Huntington Bldg.
925 Euclid Ave.
Cleveland, Ohio 44115-1414
Customer No.: 23380
Tel.: (216) 696-3466
Fax: (216) 592-5009